

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA**

CONTOUR DATA SOLUTIONS LLC,

Plaintiff,

v.

GRIDFORCE ENERGY MANAGEMENT  
LLC, NAES CORPORATION, CDW  
CORPORATION, CDW DIRECT, LLC,  
JOHN AND JANE DOES 1-5, and ABC COS.  
1-5,

Defendants.

Civil Action No. 2:20-CV-03241-CMR

**STIPULATION REGARDING AMENDED ANSWER AND AFFIRMATIVE DEFENSES**

WHEREAS, this stipulation is entered into by Plaintiff Contour Data Solutions LLC (“Contour”) and Defendants Gridforce Energy Management LLC and NAES Corporation (collectively, “defendants”) in the above-captioned case; and

WHEREAS, Contour and defendants stipulate that Gridforce Energy Management LLC and NAES Corporation will amend their Answers (Dkt. 192 and 193) to reflect the withdrawal of their Affirmative Defenses Nos. 7, 8, 9 and 11.

THEREFORE, IT IS HEREBY STIPULATED:

1. Contour will not object to Gridforce Energy Management LLC and NAES Corporation’s filing of an Amended Answer; and

2. Gridforce Energy Management LLC and NAES Corporation’s Amended Answer will not contain Affirmative Defenses Nos. 7, 8, 9 and 11. These Affirmative defenses are hereby withdrawn without prejudice to Gridforce Energy Management LLC and NAES Corporation’s ability to argue that Contour has not met its burden of proving each of the elements of its claims.

**STIPULATED AND AGREED TO:**

**TROUTMAN PEPPER HAMILTON  
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By: /s/ Benjamin J. Byer

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*Attorneys for Defendants Gridforce Energy  
Management LLC and NAES Corporation*

Dated: February 11, 2022

**APPROVED AND SO ORDERED.**

/s/ Cynthia M. Rufe

Hon. Cynthia M. Rufe  
United States District Judge